

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 16, 2012, AT 6:00 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

Mayor Kilvinger called to order at 6:00 p.m.

**ROLL CALL:**

Present: Kilvinger, Smith, Woolridge, Celaya, Raasch, Hawkins, Brown.

**PLEDGE OF ALLEGIANCE**

Councilmember Brown led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

There were no public comments.

**CONSENT:** All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

**\*Authorization to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.**

**\*Authorization to enter into an Agricultural Lease Agreement with Morning Star Farming LLC.**

**\*Authorization to enter into a Special Use Agreement between the Town of Florence and the Florence Aero Modelers for Use and Development of a Model Air Plane Park.**

**\*Approval of accepting the register of demands ending March 31, 2012, in the amount of \$1,770,411.10.**

Vice Mayor Smith requested Item 5a. be removed from the Consent Agenda.

On motion of Councilmember Brown, seconded by Councilmember Celaya and carried to approve the Consent Agenda, with the exception of Item 5a.

**\*Authorization to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.**

Vice-Mayor Smith stated that he has never seen any financial records with regards to the Cooperative Fire Rate Agreement and the Town of Florence. He said he doesn't believe the Town has responded to any wild land fires in the last two years. He inquired how the finances work with regards to the Town of Florence.

Mr. Himanshu Patel, Town Manager, stated that the Town is not required to respond if they are called upon. It is dependent on the Town's resources and the availability to send the resources to the called upon location.

Jeff Moser, Fire Chief, stated that the last time they responded to a wild land fire was July 2010. He said the Town billed 375.00. He said one of the trucks that were billed was not on the contract, but they did collect \$187.00. He said the truck has since been added to the contract. He said the Town receives payment in a timely manner. The fees include costs to cover the employee and is similar to what the Town provides such as workers compensation, etc. He said if the Town were to take someone off of shift and send them to fight the wild fire, the contract allows for payment of a firefighter to come and work that person's shift. In essence, they would be paying for two people, but only getting one.

Vice-Mayor Smith inquired about damage and lost equipment. He said a lot of damage could occur to a fire truck if it is driven off of a main, paved road. He inquired how is it determined when the Town should respond to a wild fire.

Mr. Patel said response is dependent on the availability of resources. He said the priority is to always maintain coverage for our municipality.

On motion of Vice-Mayor Smith, seconded by Councilmember Woolridge and carried to enter into a Cooperative Fire Rate Agreement with the Arizona State Forestry Division, Office of the State Forester.

**NEW BUSINESS**

**Resolution No. 1340-12:**

Mr. Patel read Resolution No. 1340-12 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING THE FLORENCE SILVER KING MARKETPLACE LEASE POLICY.**

Mr. Patel said the policy establishes criteria on how the Town wants to manage the Silver King Marketplace. He said most of the provisions contained in the policy are the same provisions on the lease agreements that have come before Council.

Councilmember Brown said she noticed that the second floor is limited to business/office, and inquired if retail will not be allowed on the second floor.

Mr. Scott Bowles, Economic Development Coordinator, stated that office space would not be allowed on the first floor, but would be allowed on the second floor. Retail space will be allowed on both floors. He said there are restrictions on the ground level and its purpose is to attract foot traffic.

Mr. Patel explained that Section 5 of the policy lists the prohibited uses for the building.

Councilmember Brown inquired if the spaces in the second floor could be split.

Mr. Patel said the splitting of the space is a possibility.

On motion of Councilmember Hawkins, seconded by Councilmember Woolridge and carried to adopt Resolution No. 1340-12.

**Resolution No. 1341-12:**

Mr. Patel, Town Manager, read Resolution No. 1341-12 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, REGARDING THE APPLICATION FOR THE ESTABLISHMENT OF A FOREIGN TRADE ZONE CONSISTING OF FOUR PROPOSED SITES BASED IN AND AROUND THE CITY OF ELOY, PINAL COUNTY, ARIZONA.**

Mr. Bowles said that in 2010, the City of Eloy began the application process with the US Department of Commerce to establish a site-specific Foreign-Trade Zone (FTZ) on four properties located within the city and just outside of its incorporated boundary to the east. Each application to create a FTZ is reviewed by a Foreign-Trade Zone Board (FTZ Board), which is composed of representatives from the US Departments of Commerce and Treasury. Unlike Maricopa and Pima Counties, Pinal County currently lacks any municipality with a designated FTZ.

Mr. Adam Trank, Rose Law Group, said their firm represents the Walton Group, which is the private entity that has partnered with the City of Eloy for the public/private partnership to secure the Foreign Trade Zone through the Department of Commerce. He said the application is at a critical juncture right now. He said the Department of Commerce is going to re-review the application. Eloy has reached out to the neighboring municipalities in the region to get a show of support. Casa Grande, Coolidge, Maricopa and Pinal County will be taking action on similar resolutions in support of the Foreign Trade Zone to help usher the approval.

Mr. Trank thanked the Town for considering the measure. He said the Foreign Trade Zone will be a positive thing for the entire region. It will help spur economic development by encouraging investment.

On motion of Vice-Mayor Smith, seconded by Councilmember Woolridge and carried to adopt Resolution No. 1341-12.

**DEPARTMENT REPORTS**  
**Manager's Report**

**Department Reports**  
**Community Development**  
**Court**  
**Finance**  
**Fire**  
**Library**  
**Parks and Recreation**  
**Police**  
**Public Works**

The department reports were received and filed.


### **CALL TO THE COUNCIL**

Mayor Kilvinger thanked the Aero Modelers for their attendance. She said she appreciates all that they have done. She thanked all those who attended Country Thunder and thanked all those who attended the Council meeting.

Vice-Mayor Smith reminded the public that ballots will be mailed out on April 19, 2012. He encouraged everyone to vote and to make sure to sign the envelope before mailing the ballot.

### **ADJOURNMENT**

On motion of Councilmember Brown, seconded by Councilmember Hawkins and carried to adjourn the meeting at 6:20 p.m.

  
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Vicki Kilvinger, Mayor

### **ATTEST:**

  
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Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 16, 2012, and that the meeting was duly called to order and that a quorum was present.

  
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Lisa Garcia, Town Clerk